



US Army Corps  
of Engineers  
Alaska District

# Public of Application for Permit

Regulatory Branch (1145b)  
Post Office Box 898  
Anchorage, Alaska 99506-0898

PUBLIC NOTICE DATE: 3 March 2003  
EXPIRATION DATE 02 April 2003  
REFERENCE NUMBER M-2001-1029  
WATERWAY NUMBER Whale Passage 6

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States as described below and shown on the attached plan.

**APPLICANT:** Whale Pass Community Association, Mr. Daryel Donaldson Post Office Box WWP, Ketchikan, Alaska 99950

**LOCATION:** Latitude 56°, 06', Longitude 133°, 06', SW¼ of the SW¼ of the SE¼ of section 25, T. 66 S., R. 79 E., Copper River Meridian, Whale Pass, Alaska

**WORK:** Install a 6' X 160' floating dock and 4 steel pilings adjacent to an existing boat ramp. Float would ground on the inside on the fill placed for the boat ramp.

See attached drawings for additional details

**PURPOSE:** Provide a safe access and tie-up for boaters utilizing community boat launch facility.

**ADDITIONAL INFORMATION:** Permit 2-2001-1029, Whale Passage 6, was issued on November 1, 2001 to allow the discharge approximately 950 cubic yards of clean shot rock, approximately 100 cubic yards of 18" minimum clean rip rap, and approximately ninety 16' long by 2' wide by 8" deep, pre-cast concrete planks onto approximately 6,400 square feet (0.15 acre) of intertidal area below high tide line, to construct an approximately 180' long by 20' wide boat launch ramp. Ramp would have a maximum width of approximately 50' toe of slope to toe of slope.

**COASTAL ZONE MANAGEMENT ACT CERTIFICATION:** Section 307(c)(3) of the Coastal Zone, Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3), requires the applicant to certify that the described activity affecting land or water uses in the Coastal Zone complies with the Alaska Coastal Management Program. A permit will not be issued until the Office of Management and Budget, Division of Governmental Coordination has concurred with the applicant's certification.

**PUBLIC HEARING:** Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

**CULTURAL RESOURCES:** The latest published version of the Alaska Heritage Resources Survey (AHRS) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are 3 registered or eligible properties in the vicinity of the worksite. They have been designated **FET-72, PET-107, & PET 121**. Because they were determined to be outside of the project area, no further action is required. Consultation of the AHRS constitutes the extent of cultural resource investigations by the District Engineer at this time, and he is otherwise unaware of the presence of such resources. This application is being coordinated with SHPO. Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

**ENDANGERED SPECIES:** The project area is within the known or historic range of the humpback whale and the stellars sealion. Preliminarily, the described activity will not affect threatened or endangered species, or their critical habitat designated as endangered or threatened, under the Endangered Species Act of 1973 (87 Stat. 844). This application is being coordinated with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. Any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

**ESSENTIAL FISH HABITAT:** The proposed work is being evaluated for possible effects to Essential Fish Habitat (EFH) pursuant to the Magnuson Stevens Fishery Conservation and Management Act of 1996 (MSFCMA), 16 U.S.C. et seq and associated federal regulations found at 50 CFR 600 Subpart K. The Alaska District includes areas of EFH as Fishery Management Plans. We have reviewed the January 20, 1999, North Pacific Fishery Management Council's Environmental Assessment to locate EFH area as identified by the National Marine Fisheries Service (NMFS). We have determined that the described activity within the proposed area will not adversely affect EFH, including anadromous fish and federally managed fishery resources.

**SPECIAL AREA DESIGNATION**     None

**EVALUATION:** The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts which the proposed activity may have on the public interest requires a careful weighing of all those factors which become relevant in each particular case. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision should reflect the national concern for both protection and utilization of important resources. All factors which may be relevant to the proposal must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Mr. Steve Duncan at (907) 753-2720, or toll free in Alaska at (800) 478-2712, if further information is desired concerning this notice.

AUTHORITY This permit will be issued or denied under the following authorities

(X) Perform work in or affecting navigable waters of the United States  
Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

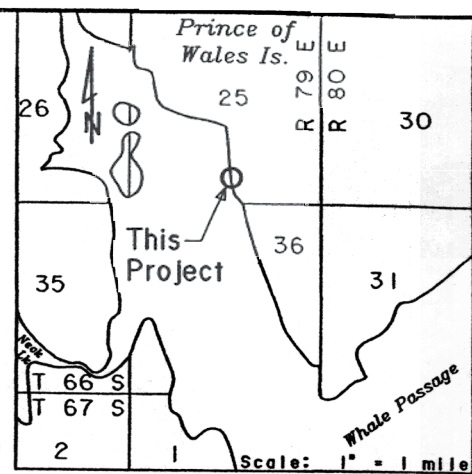
A plan, Notice of Application for Certification of Consistency with the Alaska Coastal Management Program is attached to this Public Notice.

District Engineer  
U.S. Army, Corps of Engineers

Attachments

# MEANDER TABLE

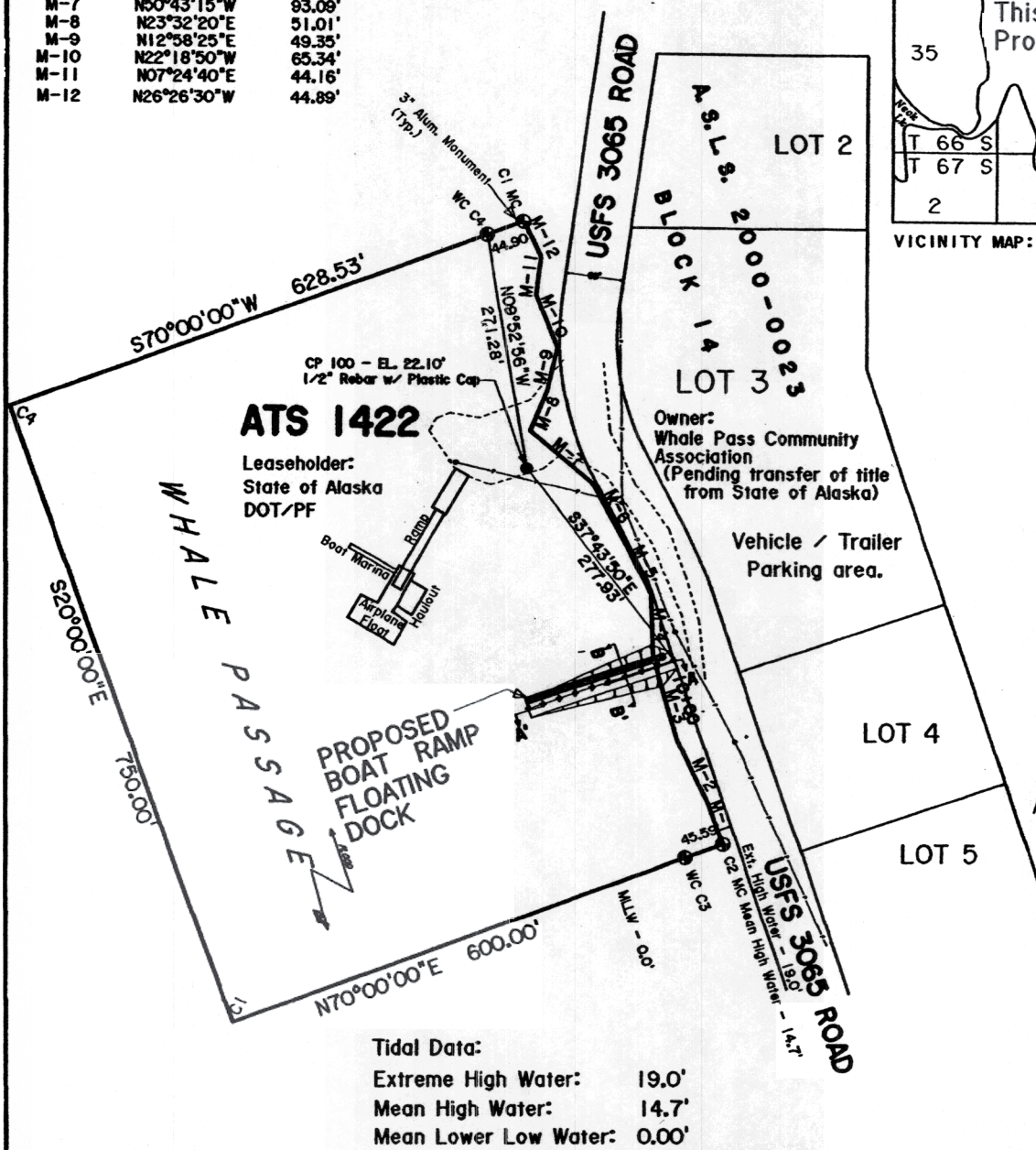
COURSE	BEARING	DISTANCE
M-1	N19°48'25"W	52.14'
M-2	N25°50'50"W	77.24'
M-3	N16°24'00"W	101.43'
M-4	N02°17'50"W	72.07'
M-5	N26°21'30"W	60.34'
M-6	N28°28'35"W	84.59'
M-7	N50°43'15"W	93.09'
M-8	N23°32'20"E	51.01'
M-9	N12°58'25"E	49.35'
M-10	N22°18'50"W	65.34'
M-11	N07°24'40"E	44.16'
M-12	N26°26'30"W	44.89'



VICINITY MAP: from Petersburg A-4 quad



Source: Petersburg A-4 Quad Map 1993



Tidal Data:  
 Extreme High Water: 19.0'  
 Mean High Water: 14.7'  
 Mean Lower Low Water: 0.00'

Purpose: Provide Boat Ramp Floating Dock

Datum: MLLW

Adjacent Property Owners:  
 Tidelands: State of Alaska  
 Uplands: State of Alaska  
 Lot 3, Blk 14, ASLS 2000-0023 is owned by the State of Alaska but title to Whale Pass Comm. Assoc. is pending.

## PLAN VIEW



Whale Pass Community Association  
 PO Box WWP - Whale Pass  
 Ketchikan, AK 99950-0280  
 Phone: 907-846-5329

Applicant:

Whale Pass Community Association

Project:

Whale Pass Boat Ramp Floating Dock

Location:

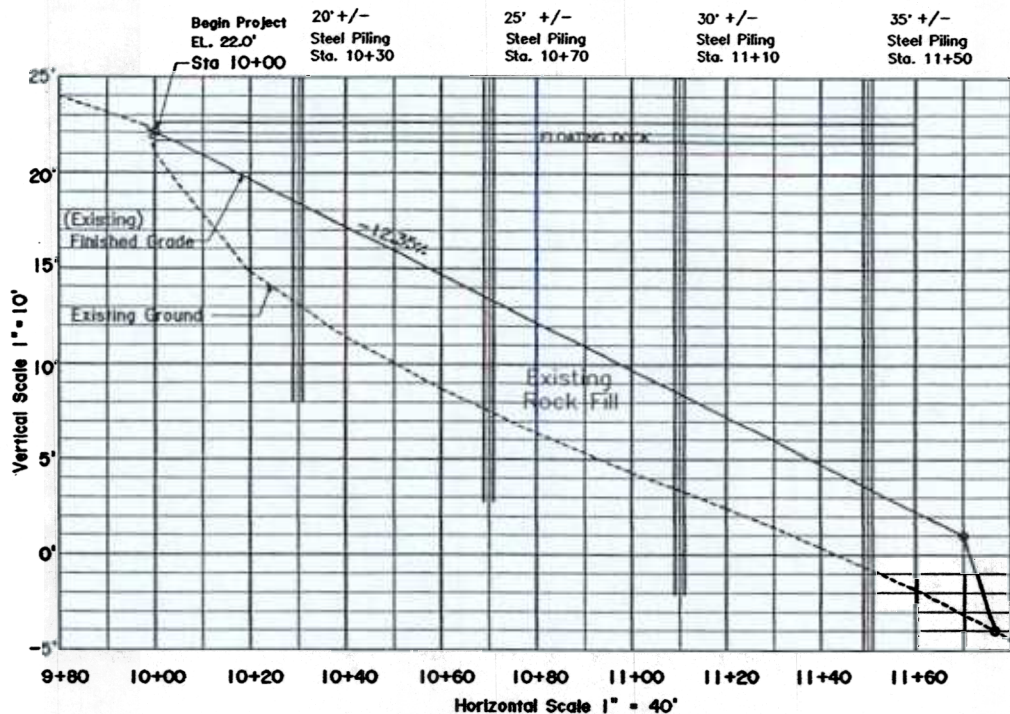
S 25, T 66 S, R 79 E, CRM  
 Prince of Wales Island, AK.

Waterbody:

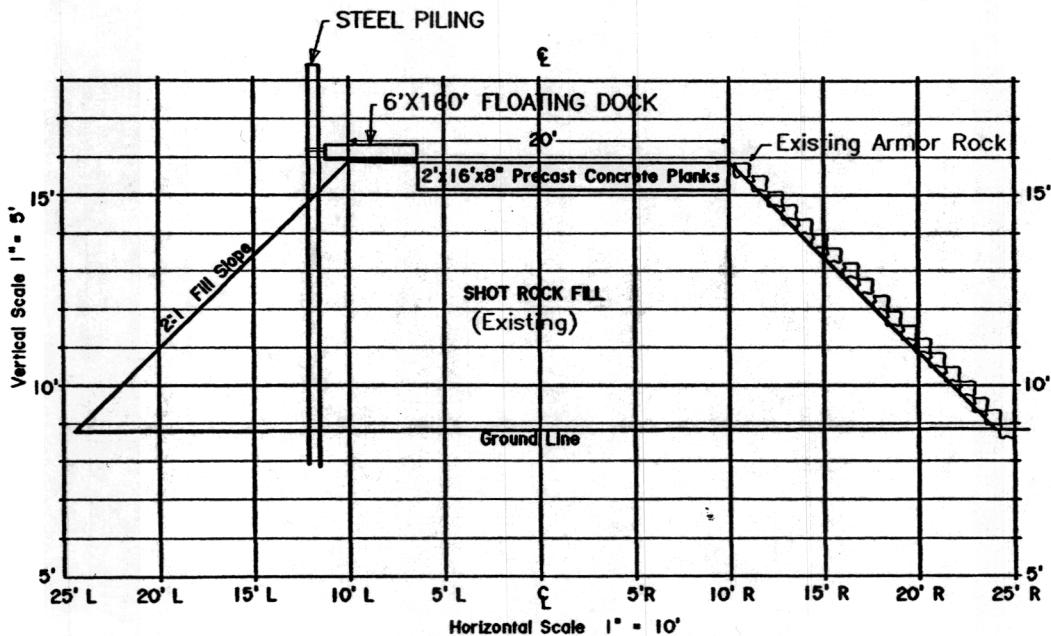
Whale Passage

Sheet 1 Of 2 Date: 12/06/02





SECTION A - A' PROFILE VIEW



SECTION B-B' CROSS-SECTION VIEW

Purpose: Provide Boat Ramp  
Floating Dock

Datum: MLLW

Adjacent Property Owners:

Tidelands: State of Alaska  
Uplands: State of Alaska  
Lot 3, Blk 14, ASLS 2000-0023  
is owned by the State of Alaska  
but title to Whale Pass Comm.  
Assoc. is pending.

## SECTION VIEWS

Whale Pass Community  
Association  
PO Box WWP - Whale Pass  
Ketchikan, AK 99950-0280  
Phone: 907-846-5329

Applicant:

Whale Pass Community  
Association

Project

Whale Pass Boat Ramp  
Floating Dock

Location:

S 25, T66 S, R 79 E, CRM  
Prince of Wales Island, AK.

Waterbody

Whale Passage

# STATE OF ALASKA

OFFICE OF THE GOVERNOR

OFFICE OF MANAGEMENT AND BUDGET  
DIVISION OF GOVERNMENTAL COORDINATION

PIPELINE COORDINATOR'S OFFICE  
411 W. 4<sup>TH</sup> AVENUE, SUITE 2C  
ANCHORAGE, ALASKA 99501-2343  
PHONE: (907) 271-4317

**NOTICE OF APPLICATION  
FOR  
CERTIFICATION OF CONSISTENCY WITH THE  
ALASKA COASTAL MANAGEMENT PROGRAM**

Notice is hereby given that a request is being filed with the Division of Governmental Coordination for a consistency determination, as provided in Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended [16 U.S.C. 1456(c)(3)], that the project described in the Corps of Engineers Public Notice No. # M-2001-1029 , will comply with the Alaska Coastal Management Program and that the project will be conducted in a manner consistent with that program.

The Division of Governmental Coordination requests your comments, particularly on the proposed project's consistency with the affected local coastal district management program. For more information on the consistency review process, comment deadlines, and the affected coastal district status, or to submit written comments, please contact the Division of Governmental Coordination at 411 W. 4<sup>th</sup> Avenue, Suite 2C, Anchorage, Alaska 99501-2343, (907) 271-4317.

Attachment 2